

# **Nuneaton and Bedworth Borough Council**

## **Borough Plan Review (2021 - 2039)**



### **NBBC's MIQ responses to Block 3 Matter 7**

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## Colour coding

Green – Policy/supporting text from the Publication (Regulation 19) version of the Borough Plan Review [CD1].

Light orange – Suggested Main Modifications, March 2024 [CD21].

Light blue – Proposed modifications in light of writing the MIQ responses to Blocks 2 and 3 of the Examination in Public.

## Matter 7: Monitoring and Review

### Policy DS7 – Monitoring of housing delivery

*Q173. Does the policy provide a suitable mechanism to monitor the delivery of housing throughout the Plan period? Is a more detailed housing trajectory required to do this?*

#### Answer

173.1 Core Documents [CD1], [CD21] and [CD31] are applicable to this response.

173.2 The Council proposed a modification to Policy DS7, at the time of submitting the Borough Plan Review for examination [CD21], to read:

AMEND Policy DS7 to read:

The Council will monitor the delivery of housing and publish progress against the trajectory (as shown in Appendix B). Where it is apparent that delivery rates are falling short of what was anticipated, then the Council will take the necessary action to address any shortfall. Such action may include (but are not limited to):

- Working with developers and site promoters **on the allocated sites**, particularly of the two largest strategic sites, to review the requirements and phasing of infrastructure provision, where such re-phasing would assist with viability **and**

- ~~Working with developers, site promoters and other interested parties to help~~ unlock potential sources of funding for identified infrastructure,

- ~~○ or; ○ considering the use of compulsory purchase powers to help address known land acquisition issues; or~~
- ~~○ ○ bringing forward additional sites where it can be demonstrated that such sites will assist with delivery to address short term needs.~~

~~Where additional housing sites need to be brought forward, initial priority will be given to sustainable sites, including town centre redevelopment opportunities in Nuneaton and edge of settlement sites, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits~~

Once the above have been considered sequentially, the Council will then look at bringing forward additional sites where it can be demonstrated that such sites will assist with delivery to address short terms needs. It will need to be demonstrated that these sites are sustainable and deliverable in the short term and sites must be considered in the following order:

- Town centre redevelopment opportunities in Nuneaton;
- Edge of settlement sites within the Settlement Boundaries (following the settlement hierarchy set out in Policy DS2);

Only when the above two steps have been fully explored, and sustainable sites have not been identified, will consideration be given to edge of settlement sites within the rural areas of the Borough or areas located beyond the defined settlement boundaries. The development of edge of settlement sites in the rural areas beyond the defined settlement boundaries will be permitted, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

173.3 The text within adopted Borough Plan Policy DS8, forms the basis for this policy. However, it has been modified for clarity following the wording of this policy being examined at length during the recent appeals.

173.4 The Council seeks to propose further suggested modifications to this policy to ensure it seeks to provide a suitable mechanism to monitor the delivery of

housing throughout the plan period by including specific measures. The suggested text, as shown below, states the Council will take action, where the annual housing delivery rate is less than 75% of the annualised requirement, or the projected completion rate (whichever is lower) for three consecutive years.

173.5 The policy as drafted, with the proposed modifications [CD21], references the housing trajectory in Appendix B. This is a high level visual representation of the trajectory, informed by the site schedule. The Council acknowledge that this bar chart alone is not sufficiently detailed to enable a comparison and therefore it is proposed that reference to Appendix B is deleted and the policy relates to the housing trajectory in its entirety. This includes the site schedule which is published along with the Council's updated 5 year supply position and the housing trajectory graph which is published in the Authority Monitoring Report. Further, the removal of this reference aligns with the wording in the adopted Borough Plan. Therefore, the first paragraph of the policy will read as follows:

AMEND the first paragraph of the policy:

The Council will monitor the delivery of housing and publish progress against the trajectory ~~(as shown in Appendix B). Where it is apparent that delivery rates are falling short of what was anticipated,~~ **Where the annual housing delivery rate is less than 75% of the annualised requirement, or the projected completion rate (whichever is lower) for three consecutive years, then the Council will take the necessary action to address any shortfall.** Such action may include (but are not limited to): ...

*Q174. If housing delivery rates fail to meet the targets set out within the Plan, are the actions set out within the policy sufficient to ensure that the required housing delivery is provided during the Plan period?*

**Answer**

174.1 Core Document [CD1] is applicable to this response.

174.2 The actions set out within the policy are considered sufficient to ensure that the required housing delivery is provided during the Plan period. The policy sets out measures, which the Council will take, which are to be considered in a sequential order. This includes working with the landowners and developers of allocated sites, particularly the two largest sites. As set out in response to Question 54, the majority of strategic sites benefit from planning permission, including SHA1 – Land at Top Farm which is one of the largest strategic sites. In relation to the second largest strategic site, SHA2 – Arbury, the Council is working closely with the agents, through pre-application discussions, to bring this site forward.

174.3 The policy goes on to state that the Council will then look at bringing forward additional sites where it can be demonstrated that such sites will assist with delivery, to address short terms needs, and it sets out the hierarchy for locational criteria in which these sites should be brought forward. The Council consider these actions are clear, especially when considered against the backdrop that Plans are required to be reviewed every five years.

*Q175. Are the 4 bullet point actions set out within the policy intended to be ranked in order of preference?*

**Answer**

175.1 Core Document [CD21] is applicable to this response.

175.2 The Council has suggested a modification to the wording of Policy DS7 [CD21]. This is shown in response to Question 173. The proposed modification wording clarifies that the actions within the policy should be addressed sequentially and specifically states: 'Only when the above two steps have been fully explored...'. Therefore, the actions are set out in order of preference to be worked through sequentially.

## Policy DS8 – Review

*Q176. Is the policy sufficiently clear and responsive in setting out under what circumstances a full or partial review of the Plan would be triggered?*

### Answer

176.1 Core Document [CD21] is applicable to this response.

176.2 The Council proposed a modification to Policy DS8 [CD21] to read:

SPLIT the first bullet point in the policy box into two and add new fourth bullet point. REARRANGE the bullet points to read:

The plan will be reviewed (either wholly or partly) in accordance with the requirements set out in national guidance. In the event of one or more of the following circumstances, a quicker review may be required:

- If there is clear evidence that the Borough's local housing need or employment need has changed significantly since the adoption of the plan.
- **Strategic employment land need will be reviewed following publication by the Council of a West Midlands Strategic Employment Land Needs Study.**
- Updated evidence or changes to national policy suggest that the overall development strategy should be significantly changed.
- Any other reason that would render the plan, or part of it, significantly out of date.



176.3 The national and sub-regional context has changed since the submission of the Borough Plan Review in February 2024. The implications of this is, given the proposed changes to national policy regarding local housing need and the proposed publication date of September / October for the West Midlands Strategic Employment Sites Study (WMSESS), the Council will more than likely be required, in accordance with Policy DS8, to undertake an immediate review.

176.4 When considering the issue of employment land, in particular strategic employment land, the Council's need is determined from the following documents:

- Towards a Housing Requirement for Nuneaton and Bedworth (2022) [EB8].
- Coventry and Warwickshire Housing and Economic Development Needs Assessment (HEDNA) (2022) [EB7.1].
- Review of Nuneaton and Bedworth Employment Land Portfolio (2023) [EB10].

176.5 The Towards a Housing Requirement for Nuneaton and Bedworth [EB8] and the Employment Land Review [EB10] identify an indicative and minimum figure of 19.4 ha for strategic B8 needs. The figure is based on the completions data in determining the need and is consistent with the sub-regional HEDNA growth period. It is set out in Table 4 within the Plan.

176.6 The WMSESS involves 24 authorities and is confidential in nature up until the point of publication. The proposed publication date for the study is around the same time at which the hearing sessions on employment land are due to sit. The Council is conscious that as Policy DS8 is currently drafted, a review of strategic employment land would need to take place whilst the examination hearings for the Borough Plan Review is still live. The Council consider the suggested wording below enables the progression of this examination, of the Borough Plan Review, whilst ensuring the matter of Strategic B8 is progressed in a timely manner. To support this approach, the Council commenced a Call for Employment Sites between 4 August 2024 – 2 September 2024. The Council is committed to working with neighbouring

authorities to address agreed unmet needs and this is reflected in the draft wording below.

REPLACE the text for Policy DS8 to read:

**The Council will carry out a complete review of the Borough Plan policies and publish its conclusions at least every five years in accordance with national planning policy and guidance.**

**Where appropriate, the Council will commence an earlier review of the Borough Plan Review to address changes in circumstances, these include:**

- **Significant changes to national planning and guidance;**
- **Significant changes to local circumstances including a change in local employment or housing need based on updated evidence published by the local authority;**
- **Significant local, regional or national economic changes;**
- **Any other changes which would render the plan, or part of it, significantly out of date.**

**In the event of this Plan not providing adequate provision for any established unmet need within the Coventry and Warwickshire sub-region, the Council will commence work immediately with the authorities in the sub-region and where necessary will instigate a separate Development Plan Document to address agreed unmet needs.**

*Q177. Does the policy need to be more explicit about what evidence and what level of change would be required regarding housing and employment need in order to trigger a review?*

**Answer**

177.1 Core Document [CD1] is applicable to this response.

177.2 The Council has suggested a modification to the policy, in response to Question 176, which seeks to clarify in what instances a review would be triggered.

*Q178. Does the policy have sufficient regard to and set out the approach to dealing with the possibility of unmet housing and employment need arising in the housing market area / region?*

## **Answer**

178.1 Core Document [CD1] is applicable to this response.

178.2 The Council have suggested a modification to the policy, in response to Question 176, which seeks to deal with the possibility of unmet housing and employment need arising in the housing market area / region. The Council propose the following paragraph is added to the supporting text for clarity and context:

ADD to the supporting text:

**Nuneaton and Bedworth Borough Council will continue to work under the 'Duty to Co-operate' with all other sub-regional Coventry and Warwickshire Local Authorities on an on-going basis to address the objectively assessed need for housing across the Coventry and Warwickshire Housing Market Area. As a first step Nuneaton and Bedworth Borough Council has sought to accommodate the housing need for Nuneaton and Bedworth in full in the Nuneaton and Bedworth Local Plan. In addition, the Nuneaton and Bedworth housing requirement includes an additional 2,450 dwellings which provides headroom to contribute towards any potential unmet need. Nuneaton and Bedworth Borough Council will continue to work jointly and proactively with the Coventry and Warwickshire sub-regional authorities to assess all reasonable spatial options. These issues are not for Nuneaton and Bedworth Borough Council to consider in isolation. These options will need to be undertaken in accordance with national policy, national guidance, the Strategic Environmental Assessment (SEA) regulations, and the Habitats Regulations Assessment (HRA) to establish how and where any unmet need might best be accommodated within the Coventry and Warwickshire**

Housing Market Area. Joint work will need to comprehensively consider how spatial options could be supported by necessary infrastructure to ensure an integrated approach to the delivery of housing, jobs and services. Full public consultation will be central to a 'sound' process and outcome. If this joint work reveals that there is a need for Nuneaton and Bedworth to meet additional unmet housing need in the sub region, this will trigger a partial review of the Local Plan. The Council will engage in joint working on supporting technical work to support the identification of a sustainable approach to meeting agreed, unmet needs.

## Monitoring General

*Q179. Does the Plan have clear and effective mechanisms for monitoring?*

### Answer

179.1 Core Document [CD1] is applicable to this response.

179.2 The Council has a 'plan, monitor, manage' approach which is aligned to the approach within the adopted Borough Plan (2011-2031). Where relevant, the policies in the plan include a monitoring indicator and target. These monitoring indicators will be monitored and reviewed each year and will be reported as part of the Authority Monitoring Report. It is considered that these indicators are clear and effective mechanisms for monitoring, to ensure a plan-led approach, as has been demonstrated with the monitoring of the adopted Borough Plan (2011-2031).

*Q180. Do the monitoring tables contain relevant and measurable indicators?*

**Answer**

180.1 Core Document [CD1] is applicable to this response.

180.2 The Council considers the indicators are relevant and measurable. As set out in response to Question 179, the indicators will be monitored and reviewed each year and will be reported as part of the Authority Monitoring Report. The indicators in the Borough Plan Review have been amended, where necessary, from those in the adopted Borough Plan (2011-2031), to ensure they are relevant and measurable.

*Q181. Should the monitoring tables include “triggers” which would alert the Council to consider a review of the relevant matter?*

**Answer**

181.1 Core Document [CD1] is applicable to this response.

181.2 Given the provisions set out in Policy DS7 and Policy DS8, the Council does not consider that the monitoring tables should include triggers that would alert the Council to consider a review of the relevant matter. The monitoring indicators and targets align with that in the adopted Borough Plan (2011-2031), and the outputs of monitoring indicators will be reported as part of the Authority Monitoring Report. The monitoring indicators and targets are looked at on a case-by-case basis where they are not being met and reviewed at the time, as there may be specific reasons why certain targets are not being achieved. In addition, in accordance with national policy (the National Planning Policy Framework), the Borough Plan Review will be reviewed at least every five years. Therefore, the Consider considers the approach towards monitoring and triggers for a policy review is sufficient, clear and in accordance with policy.